IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 19TH OCTOBER 2007 / 27TH ASWINA 1929

Crl.MC.No. 3078 of 2007()

CRIME NO.546/07 OF KAYAMKULAM POLICE STATION

PETITIONER: 2ND AND 3RD ACCUSED:

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1. SOMAN,
   CHAKALIL VEEDU, MUTHUKULAM SOUTH P.O.,
   MUTHUKULAM VILLAGE.

2. VINOD,
   CHAKKALIL VEEDU, MUTHUKULAM SOUTH P.O.,
   MUTHUKULAM VILLAGE.

BY ADV. SRI.P.SREEKUMAR

RESPONDENTS: COMPLAINANT:

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1. CIRCLE INSPECTOR OF POLICE, KAYAMKULAM.

2. STATE OF KERALA,
   REPRESENTED BY PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.GIKKU JACOB

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 19/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

Crl.M.C.No.3078 of 2007

Dated this the 19th day of October, 2007

O R D E R

The grievance of the petitioners is that by abuse of the option given to the Investigating Officer, as per identical clause (ii) of the orders dated 5.9.07 and 21.08.07 in B.A.Nos.5226 and 5030 of 2007, the Investigating Officer is unnecessarily insisting on the personal appearance of the petitioners.

2. Notice was given. The Investigating Officer has filed a statement. He asserts that the petitioners are not required to appear before the Investigating Officer at all, though he has a grievance that one of the petitioners had not appeared before the Investigating Officer on the dates specified, which assertion is denied by the petitioners. If he has any grievance, he must take appropriate steps. However, in the light of the statement filed by the Investigating Officer that the petitioners need not appear any longer and he has not issued any such directions, I am satisfied that this Crl.M.C can be dismissed and no further directions are necessary.

This Crl.M.C is, in these circumstances, dismissed.

(R.BASANT, JUDGE)

rtr/-